

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

UNITED STATES OF AMERICA, et al.,  
Plaintiffs,

vs.

BOARD OF HAMILTON COUNTY  
COMMISSIONERS, et al.,  
Defendants.

Case No. 1:02-cv-107  
Barrett, J.  
Litkovitz, M.J.

**SUPPLEMENTAL ORDER RE:  
REQUEST FOR REVIEW BY  
ROY C. JONES**

On February 8, 2018, this Court awarded Mr. Roy C. Jones \$17,779.35 for the damages sustained in this case. (Doc. 1255). In determining the damages amount, the Court declined to award Mr. Jones compensation for outside steps and a rear cellar door allegedly damaged by a sewer backup but inadvertently omitted from his claim.

On February 16, 2018, Shielah Smith, Mr. Jones's daughter, submitted an updated estimate from WIP II, Inc. for the removal of six damaged steps going to the basement from the rear of the house, installation of six new concrete steps, repair of a concrete side wall, and removal and installation of the rear cellar door. (Doc. 1263).

The Court declines to alter its decision on Mr. Jones's claim based on this new information. The submission of the updated estimate is untimely<sup>1</sup> and there is still no documentation verifying that the damage to the steps and rear basement door was caused by a sewer backup.

Therefore, the Court denies any request for additional compensation in this case and

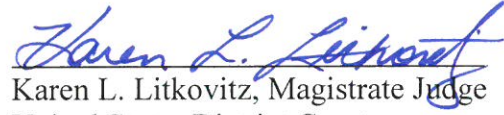
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<sup>1</sup> Mr. Jones and Ms. Smith were previously granted an extension of time to submit this information but failed to do so within the deadline set by the Court.

**DENIES AS MOOT** the Metropolitan Sewer District of Greater Cincinnati's motion to strike the supplemental documentation (Doc. 1264).

**IT IS SO ORDERED.**

Date: 3/7/18

  
Karen L. Litkovitz, Magistrate Judge  
United States District Court